CHAPTER 1

What Is Real about "Ideal Constitutions"?
Spinoza on Political Explanation

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Introduction

At the heart of Spinoza's *Tractatus Politicus* (TP) is an apparent tension. On the one hand, he criticizes those political philosophers who write about men not as they are but as they wish them to be. On the other hand, he writes a treatise on politics with the goal of improving the collective condition of men. The goal, presumably, is to write about men as they actually are and use this knowledge to make politics as effective as possible. But how is it possible to achieve this goal without projecting at least some ideals? The issue is complicated by a question about Spinoza's own political biography. His earlier work the *Tractatus Theologico-Politicus* (TTP) was an attempt to intervene in a political crisis in the Netherlands. Although it was a plea for toleration, it failed to achieve its goals. The book was immediately attacked – mainly due to the claim that its early enlightenment critique of religion undermined the foundations of moral and political virtue – and the political party he supported was ultimately overthrown. Spinoza worked on the TP in the period leading up to and after the collapse of the republican government. It appears to be less of an intervention and more of a sober account of the nature and limits of political authority. Was Spinoza's criticism of idealistic politics in the TP a form of historical self-critique, looking back at the TTP's failure? Or was the TTP's political theory already consistent with this insight? In order to clarify the inner logic and political aims of the TP, I want to ask a series of questions, both about the nature of the work itself and its relation to the TTP and Spinoza's broader philosophical project.

The first two questions that will concern me in this chapter are these: What is the nature of Spinoza's so-called realism about politics? And what is the "best civil order" that Spinoza attempts to define? I think that the two questions are related. So we can ask a third question based on the first two: What does it mean for a realist about politics to speak of ideal constitutions?

The first problem arises in the opening sections of the TP when Spinoza criticizes the political philosophers who "conceive men not as they are, but as they wish them to be."[1] Politicians tend to be too fearful of the men they lead, but overall their writings are superior to those of philosophers because they are at least based on experience (1.2). Spinoza implicitly asks the question of how it is possible for a philosopher like himself to write about men as they actually are, something that seems to require a very different kind of knowledge from that which he possesses.

The second problem arises in the beginning of the fifth chapter, when Spinoza reminds us that "man is most his own master when he is most led by reason, and hence ... that that Commonwealth is most powerful and most its own master which is founded on and directed by reason" (5.1; III/294–5). However, while the civil order is based on the right of the sovereign, which in turn follows from the coordination of individual natural right, Spinoza is quite clear throughout that this right is not based upon reason. Hence there is a tension between the organization of a state according to right – what is – and the organization of the state according to reason – what would be optimal [*optime*], or, in Curley's translation, "the best way" (5.1; III/295). This general problem or tension is repeated throughout the remaining chapters, each devoted to a discussion of a particular constitutional form. Spinoza appears to discuss the civil orders not as they actually are, but rather as they ought to be, outlining what A. G. Wernham calls "ideal constitutions."[2] Is Spinoza not violating his very own injunction to speak of politics realistically, in terms of men as they actually are and not as we would want them to be?

In order to answer these questions, I think that we need to look carefully at the various accounts that Spinoza gives of a "civil order" in both the TTP and the TP. The term is introduced in section 7 of chapter 1 of the TP, where Spinoza notes that "all men everywhere, whether Barbarians or civilized, combine their practices and form some sort of civil order [*statum aliquem civilem formant*]" (III/275–6). In chapter 3, he distinguishes between the general nature of civil order and its "kinds," which

[1] "For they conceive men not as they are, but as they wish them to be. That's why for the most part they have written Satire instead of Ethics, and why they have never conceived a Politics which can be put to any practical application. The Politics they have conceived would be considered a Chimaera, and could be set up only in Utopia, or in the golden age of the Poets – i.e., where there was no need for it at all. In all the sciences which have a practical application, Theory is believed to be out of harmony with Practice, but this is most true of Politics; no men are thought less suitable to rule a State than Theorists, or Philosophers" (1.1; III/273).

[2] A. G. Wernham, "Introduction," in *Spinoza: The Political Works*, ed. A. G. Wernham (Oxford: Clarendon Press, 1958).

he identifies with the traditional forms of governments, i.e. Democratic, Aristocratic, and Monarchic (3.1; III/284). He seems to identify the general nature of civil order with the problem of state formation and sovereignty in chapter 2, section 17 (III/282), and he then elaborates on it at length throughout chapter 3, where he discusses how sovereign right is established in a commonwealth, which is the general form of civil order. The ideal constitutions that he then later goes on to sketch are specific kinds of civil order.

This leads to a fourth question, one that has been relatively frequently discussed in the literature: What is the relation of the TTP to the TP? It seems that the way in which Spinoza discusses civil order is different in each. As many have pointed out, Spinoza does not mention the social contract, which occupies him at great length in chapter 16 of the TTP, at all in the TP, and even seems to criticize the very assumptions of the theory, when he points out, in chapter 2, section 15, that there is a sense in which the scholastics were right to say that man is a social animal.[3] This (among other things) has led influential commentators – most notably, Etienne Balibar and Alexandre Matheron – to argue that Spinoza changed his view from one work to the other.[4] One of the claims that Balibar makes is that Spinoza's account in the TP is more "scientific" and this claim is something into which we can inquire further. Another commentator writes, "L'abandon du contrat présente un double bénéfice: il débarrasse la théorie politique d'éléments artificialistes et fictifs, pour tout dire utopiques, en installant la genèse de l'État dans un climat naturaliste" [The abandonment of the contract offers a double benefit: it clears the political theory of artificial and fictive (read utopian) elements and situates the origin of the state in a naturalist framework].[5] In what follows I want to challenge the logic of this reading. While I agree that broadly speaking Spinoza is committed to a naturalistic framework in this work – as expressed in the idea of political realism – I do not think that this requires

[3] "If it is for this reason that the Scholastics want to say that man is a social animal – because men can hardly be their own master in the state of nature – I have nothing to say against them" (2.15; III/281).

[4] Etienne Balibar, *Spinoza and Politics*, trans. Peter Snowden (London: Verso, 1998), 50; Alexandre Matheron, "Le problème de l'évolution de Spinoza du *Traité Théologico-Politique* au *Traité Politique*," in *Spinoza: Issues and Directions*, ed. Edwin Curley and Pierre-François Moreau (Leiden: Brill, 1990). The issue is surveyed in section 5 of Steven Barbone and Lee Rice, "Introduction," in *Political Treatise*, ed. Steven Barbone and Lee Rice (Indianapolis: Hackett Publishing Co., 2000), 20–24. They claim that the difference is more a matter of style than substance.

[5] Lucien Mugnier-Pollet, cited in Chantal Jaquet, "L'actualité du *Traité Politique* de Spinoza," in *La Multitude Libre: Nouvelles Lectures du Traité Politique*, ed. Chantal Jaquet, Pascal Sévérac, and Ariel Suhamy (Paris: Editions Amsterdam, 2008), 19. My translation.

him to rid his discourse of artifices and fictive elements. Indeed, we shall see that the "scientific" discourse depends upon them in crucial ways. Hence fictions are features of naturalism rather than exceptions to it.

In fact, I think that we can learn something important about the structure of the TP from the TTP. Namely, there are three kinds of account of civil order in the TTP, each of which plays an important function in the overall political strategy: the descriptive or sociological; the juridical or normative; and the narrative. The sociological describes people as they are and is in the form of the impersonal third person. The normative account sets out the basis of what ought to be done and forms the basis for a juridical order in the state. It addresses people in the second person in the form of an imperative or demand. The narrative account addresses the individual in the first person through either the direct or indirect identification of the person with an agent in a goal-oriented story.[6] None of these three accounts actually stands alone as an adequate account of the civil order; they supplement each other in crucial ways. Moreover, the narrative account serves as a keystone for the edifice of social order: The legitimation of a civil order is best achieved in this form because it speaks to the practical viewpoint of those in society. The same structure is at work in the TP. Of course, there are some interesting differences between the two works. And these similarities and differences will help us answer the questions we have asked.

I shall argue that a complete political philosophy requires each of these accounts of civil order and that we can answer the main questions – what is the nature of Spinoza's political realism, what is an ideal constitution, and what is a realistic ideal constitution – in terms of this tripartite account. Furthermore, I want to claim that although the style of each political work is different, they both offer the same structure, one that relies on both fictions and artifices of various kinds. If Spinoza is a kind of naturalist – and I won't defend that claim here, but take it for granted – then I think that we need to recognize that naturalism does not require us to give up fictions. We can see this clearly in his account of politics.

Political Explanation in the TTP

In the TTP there are three distinct accounts of how a civil order is formed. In chapter 5, he provides a sociological account of the formation of society. In chapter 16 he gives a juridical account based on the idea of a natural

[6] Here the work of P.-F. Moreau on the theme of translating the first-person point of view in the TTP is relevant: See Pierre-François Moreau, *Problèmes du Spinozisme* (Paris: Vrin, 2006), 106–19.

right. In chapters 17 and 18 (as well as the second part of chapter 5) he offers a particular narrative, the biblical story of the ancient Israelites led by Moses. In each case, although Spinoza says that he is arguing from "universal foundations" [*ex universalibus fundamentis ostendam*], nonetheless he makes significant use of what he elsewhere calls "beings of reason" [*entia rationis*]. Despite the name, these ideas are essentially hybrid: They are produced by the imagination and can aid or hinder reason. Three of the most important functions of "beings of reason" are to measure, to model, and to narrate. I think that it is important to highlight the multiple roles of *entia rationis* in the accounts of the formation of political society. As I will briefly elucidate, each of the accounts relies prominently on one of the three functions of these *entia*. The sociological account depends on a careful comparison and measure of human nature. The juridical account serves as a kind of model. And the historical is a narrative that combines the analytical and normative features of the other two into an account that will compel actual men to action.

The Sociological Account in the TTP

In chapter 5 Spinoza argues from "universal foundations" that "A social order is very useful, and even most necessary, not only for living securely from enemies, but also for making many things efficiently" (V.17–18; III/73). Among the claims he makes to support this point are that society is essential "not only for security but also for the efficient organization of an economy" (V.18). He relies on a principle of the division of labor to explain the benefits of social life. If people were rational, then they could enjoy these benefits without coercive laws. But, he observes, "people want things and judge them useful, not at all by the dictate of sound reason, but for the most part only from immoderate desire and because they are carried away by affects of mind which take no account of the future and of other things" (V.21; III/73). Hence, "no society can subsist without authority and force, and hence, laws which moderate and restrain men's immoderate desires and unchecked impulses" (V.22; III/74). Governments, in turn, need to respect the limits of their coercive power; for, "human nature does not allow itself to be compelled absolutely; as the Tragic poet Seneca says, no one has maintained a violent rule for long, but moderate ones last" (V.22). Hence, governments should rule with an eye toward inspiring hope and devotion rather than fear and distrust.

These observations are familiar. What I want to focus on here is their epistemological status. Spinoza says that they are "universal foundations,"

but he does not provide a deductive proof for them. The generalizations are based in part on repeated empirical observations. There might be a different kind of proof – one based on first principles – but he does not give it in the TTP. Hence, even if the philosopher/scientist could establish this point by reason, the reader of the TTP has not been given the proof. The point is made based on an inductive inference from experience.[7] In his early works, Spinoza had spent some time analyzing the nature and limits of these kinds of explanations, which he thought were based on what he, following the late scholastics, called "beings of reason."[8]

In the first chapter of the "Metaphysical Thoughts" (*Cogitata Metaphysica*), Spinoza says that a "Being of Reason" [*ens rationis*], in the strict sense, is "nothing but a mode of thinking, which helps us to more easily retain, explain, and imagine the things we have understood" (CM 1; C, 299–300; G I/233/30–33). Their first function is to *retain* ideas. This requires an act of memory by which we retain some particular idea by linking it to something similar or putting it under a single name.[9] Philosophers have frequently availed themselves of this function of a being of reason through the construction of classes of objects through ideas like species, genus, etc.[10] Their second function is to explain things through serving as a mode of comparison. The examples Spinoza offers are time, number, and measure. The same topic is also discussed in the well-known "Letter 12 on the Infinite."[11] As he writes there, "from the fact that when we conceive Quantity abstracted from Substance and separate Duration from the way it flows from eternal things, we can determine them as we please, there arise Time and Measure – Time to determine Duration and Measure to determine Quantity in such a way that,

[7] Here the problem is similar to the dogmas of faith in chapter 14; the conclusions can be established either by reason or by imaginative experience. In the TTP the point is established not by reason but by experience.

[8] For a full account of this notion in Spinoza, see Daniela Bostrenghi, *Forme e Virtù Della Immaginazione in Spinoza* (Naples: Bibliopolis, 1996). See also Wim Klever, "Remarques sur le *Tractatus de Intellectus Emendatione* (Experientia vaga, paradoxa, ideae fictae)," *Revue des sciences philosophiques et theologiques* 71, no. 1 (1987).

[9] Spinoza gives an account of memory in *Ethics* 2p17c and a physiological account of it in the demonstration to this corollary.

[10] "Still, these modes of thinking cannot be called ideas, nor can they be said to be true or false, just as love cannot be called true or false, but [only] good or bad. So when Plato said that man is a featherless biped, he erred no more than those who said that man is a rational animal. For Plato was no less aware than anyone else that man is a rational animal. But he referred man to a certain class so that, when he wished to think about man, he would immediately fall into the thought of man by recalling that class, which he could easily remember. Indeed Aristotle erred very seriously if he thought that he had adequately explained the human essence by that definition of his. Whether, indeed, Plato did well, one can only ask. But this is not the place for these matters" (CM, 1,1; C301).

[11] See Yitzhak Y. Melamed, "On the Exact Science of Nonbeings: Spinoza's View of Mathematics," *Iyyun, The Jerusalem Philosophical Quarterly* 49, January (2000).

so far as possible, we imagine them easily" (C203). The third function is to imagine nonentities positively as beings, especially in the case of imagining negations of things as having real being, like darkness or blindness.

Hence, the "universal foundations" of Spinoza's sociological account rest on "beings of reason" used in a variety of ways, not pure deductive reason itself. In other words, the generalizations are based on the retention of multiple instances that are grouped under the name of a single phenomenon, and then are measured in terms of frequency and outcomes. This process is used to determine the patterns of social life, and the results are reliable enough to use for political calculations, though we should not be fooled about its certainty.

The sociological account by itself is lacking, and not just because it relies upon beings of reason and does not establish its conclusions in a strictly deductive manner from first premises. Most importantly, it is lacking because it is a descriptive account that does not explain the legitimation of the social order it describes. It may explain the mechanisms of both cooperation and conflict but it does not take into account the point of view of those who are actively constituting (or tearing apart) the community.[12]

Another way to put this is that the sociological account of society is pitched at the level of the impersonal, third-person point of view. In order for one member of society to convince another of the rightness (or wrongness) of a particular course of action an appeal to our co-citizen in the second-person voice is necessary: This is what you *ought* to do. For this we must turn to the juridical account of society, which provides a normative dimension.

The Juridical Account in the TTP

In chapter 16 Spinoza gives an account of the formation of society based on the idea of a social contract. He begins with the idea of a natural right, which he derives from the right of nature itself, which Spinoza says is composed of the right of each individual thing to do whatever it has the power to do. Hence, "each individual has the supreme right to do this, i.e. . . . to exist and act as it is naturally determined to do" (XVI.4; III/189). The striving of each individual to persevere in its being is a natural right.

[12] This problem does not really arise if we look at the sociological account in its context (in chapter 5), which is the account of the purpose of ceremonies among the ancient Israelites. Ceremonies surely have a sociological function but they also involve an appeal to the normative (which we will discuss further in the next section). There is something different (an appeal to transcendent interest). We can use the false because it helps produce something good.

But "the natural right of each man is determined not by sound reason, but by desire and power" (XVI.7; III/190).[13] The fact that most men are led by their passions inevitably leads, Spinoza thinks, to conflict. Hence, men in the state of nature are in an intolerable bind: They are living according to their natural right but they can't effectively preserve themselves. This is what motivates them to unite through a contract, which transfers individual right to a sovereign, who establishes laws that are generally conducive to self-preservation.

A very difficult problem arises: How is it possible for men in the state of nature to create a covenant and overcome the collective action problem produced when self-interested men are asked to transfer their power to an entity more powerful than any one or more of them for the sake of their own self-preservation? Spinoza appears to solve the problem through invoking a "universal law of human nature" that "no one neglects to pursue what he judges to be good, unless he hopes for a greater good, or fears a greater harm," etc. (TTP, XVI.15; III/191–2). However, as I have argued elsewhere, this does not solve the problem by itself.[14] The difficulty is that changing individual calculations about self-interest requires the very thing that the process of contracting is supposed to produce: namely, the existence of a stable authority that coordinates actions through enforcing rules or laws. This difficulty points out an important limitation in the social contract account. Although it models the ideal outcome, it does not explain how the transformation takes place. More on this in a moment.

The juridical account presupposes the sociological in at least two aspects. First, it is the starting assumption of the project, that is, the description of the state of nature as one characterized by conflict produced by men who are predominantly led by their appetites and passions. If we assumed that all men were rational, then we would be led to a normative expectation that is not consistent with experience. Second, it posits certain key psychological mechanisms that are central to the theory, the most important of which is the idea of the "universal law of human nature" cited earlier.

Although the juridical account seems descriptive, much like the sociological account, nonetheless it is different in several important respects.

[13] The passage continues: "For not all people are naturally determined to act according to the rules and laws of reason; on the contrary, they are all born ignorant of everything, and before they can know the true principle of living and acquire a virtuous disposition, much of their life has passed, even if they have been well brought up" (XVI.7).

[14] Michael A. Rosenthal, "Two Collective Action Problems in Spinoza's Social Contract Theory," *History of Philosophy Quarterly* 15, no. 4 (1998).

First, it depends upon several contrary-to-fact conditions. Strictly speaking, as Spinoza has already indicated in chapter 5 and will later state even more clearly in the *Tractatus Politicus*, man is a social animal and is never actually in a state of nature. Moreover, even when the contract has been spelled out and a mechanism indicated for its symbolic legitimation, it is not clear that everyone is at all times acting according to the contract, even though it is supposed to be binding. In other words, the normative demand of the contract is not a fact of nature but what we *ought* to do, if we were to follow our self-interest.

The social contract is a model of which mechanism people ought to use to bring about a better state of existence for each of them. Models have two aspects: descriptive (like sociological generalizations, which are inferences to explanations from lots of particular instances) and prescriptive (this is what we ought to be – in this case, a group of people governed by binding laws). As Spinoza points out (in the TTP and the *Ethics*), the idea of law in society has been constructed in terms of an analogy to the laws of nature.[15] As the many exceptions to the law testify, the laws decreed by a king are not, strictly speaking, true as laws, that is, true at all times for all men under the relevant circumstances defined by the law. Both aspects of the models depend on beings of reason. And taken together the model is a being of reason itself.

It has been often remarked that in chapter 16, when Spinoza seems to identify natural right with power, he reduces right to power. He takes something that is supposedly grounded in some distinct domain in nature, one that has special qualities, which we call "moral," and erases the boundaries to show that, if rights are conceived as part of nature (or an expression of nature), then they can be conceived like any other natural phenomenon. Instead of rights talk we get ever more precise descriptions of human nature.

However, I think that if we conceive the contract as a model, then we can define a sense in which there is a distinct sphere of the normative: a contrary-to-fact condition, in which we would be more powerful (in the sense that we can more fully live in accordance with our determinate nature) than in our current state.[16] The model defines a framework that is quasi-transcendent. It plays the same role as putatively transcendent

[15] See TTP IV.5, where Spinoza says that "the word law seems to be applied figuratively to natural things" (III/29–30), and also *Ethics* 3p2s.

[16] The recent work of Moira Gatens is instructive: See Moira Gatens, "Spinoza's Disturbing Thesis: Power, Norms and Fiction in the *Tractatus Theologico-Politicus*," *History of Political Thought* 30, no. 3 (2009).

values, but without positing these values as actually existing independently of the framework defined by the model. If we were always rational and able to live according to our natures, then we would not need these values. But since, as a descriptive fact, we are not always rational, the model structure of morality, based on an analogy to the laws of nature, might aid us.

What, then, is lacking in this account? It seems that we have all that we need: a useful description of human nature and the model that we have constructed to guide us in the realization of our capabilities. The problem is that the model of the social contract is pitched in the form of the second person as a call in the form of a moral imperative to our neighbor to act in a particular way. But, as we have seen, the description of human nature, the story of self-interested individuals led primarily by their passions, leads to a collective action problem. There must be an account from the point of view of the individual that allows him or her to adopt the moral imperative of the contract as his or her own point of view. This is the function of narrative.

The Narrative Account in the TTP

Although it may appear that the account of the ancient Israelites that takes up so much of the TTP is really distinct, a mere illustration of political principles elucidated in chapter 16, I think that it is in fact crucial to the success of the political theory. The story is not just an illustration of the social contract theory but is itself an important ingredient that supplements the key weakness in the theory – the collective action problem – and makes possible its realization. It does this through the appeal to an apparently (but really fictional) transcendent interest.

First, let me point out just how important a role the story of the Israelites plays in the TTP. At every key juncture, the theoretical account is followed directly by a supporting story. Indeed, in chapter 5, the descriptive sociological account of society is framed (both before and after) by the discussion of ceremonies. Likewise, immediately after the key theoretical chapter, 16, Spinoza spends two more chapters discussing the example of the Israelites.

In both the TTP and the earlier works, Spinoza considers the various kinds of narrative.[17] True fictions are the lowest kind, for the reason that

[17] I have discussed the kinds of narrative in more detail here: Michael A. Rosenthal, "Spinoza and the Philosophy of History," in *Interpreting Spinoza: Critical Essays*, ed. Charlie Huenemann (Cambridge: Cambridge University Press, 2008).

they are based on the willful association of two images without any attempt to tie them to the world independent of us. They are, like *Orlando Furioso*, for the sake of entertainment (TTP, 7.62; III/110). They amuse the reader or listener through combining elements that elicit wonder and serve no further purpose than the immediate pleasure generated from the unusual. That is why fantastic creatures and improbable situations abound in these fantasies. Chronicles, in contrast, tie together their ideas through some relation to the external world, though they certainly can be enjoyable as stories as well (TTP, 10.24; III/145). And, chronicles may serve an edifying purpose. Whereas mere stories are designed for amusement and pleasure in the simplest sense, chronicles may have utility. That is, they might serve as models against which we can compare ourselves and others and make a claim on them to act in accordance with the model.[18] When we combine a model, like the social contract, with a story of the realization of that contract by a particular group of people – one with whom we identify to some extent – then the generic imperative takes on my own point of view. In this way, the narrative takes the two key elements – (i) the sociological fact that cooperation is good for us, and (ii) the normative demand via the social contract that we act cooperatively – and transforms them into a cohesive account that motivates the individual, through his identification with the protagonist, to act on this demand for the sake of our self-interest.

This is particularly important in politics because it has a direct role in solving the collective action problem. The narrative of the ancient Israelites, in which God has chosen them for a special purpose, becomes the vehicle through which contemporary Dutchmen, who were immersed in the Bible, became aware of how to resolve their collective action problems.

These kinds of political narrative are the performance of the *normative* claims on us through the analogy we make to the processes described in the narrative. If these claims are to be successful in the long term, then they need to be endlessly repeated and tuned to the world in which we act. Hence the continued importance of the descriptive account in improving and emending the models we use in the core of these narratives.

A good political narrative is the performance of the normative. What I am calling the personalization of the model is really a kind of interpretation of the model. We feel the need for a model to guide us or we are

[18] Jacqueline Lagrée has discussed Spinoza's practice of citation in the TTP and the role of models in: Jacqueline Lagrée, *Spinoza et le débat religieux* (Rennes: Presses Universitaire de Rennes, 2004), 95–110.

confronted by a demand. The model thus becomes an actual imperative for us.

The Descriptive Account in the TP

The striking difference with the TTP is the degree to which Spinoza bases his account of civil order in the TP explicitly on rational premises. In part this might be explained by the differing periods in which the two works were composed. The *Ethics* was not nearly as complete during the composition of the TTP as it undoubtedly was during that of the TP. Nonetheless, it also indicates a different audience. Many of the philosophical arguments in the TTP only indirectly relied upon those we would later find in the *Ethics* mainly because the readers were not deemed capable of understanding the work without rancor. As we saw earlier, the descriptions of social life in the TTP depend upon empirical generalizations that would have been familiar to the nonphilosophical. Still, as Spinoza notes, a scientific understanding of human nature does not proceed on the basis of reason alone, and this is a common starting point in all his works.[19]

We can characterize what Balibar calls the "scientific" approach to politics as that which seeks to "deduce from the condition of human nature the things which agree best with practice" (TP, 1.4; III/274/24–25). This does not mean that we proceed deductively from reason, but rather we use reason to explain human nature in its context. As Spinoza writes:

> Finally, because all men everywhere, whether Barbarians or civilized, combine their practices and form some sort of civil order we, we must seek the causes and natural foundations of the state, not from the teachings of reason, but from the common nature, *or* condition, of men, which I've decided to do in the following chapter [chapter 2] (1.7; III/276).

In chapter 2 Spinoza notes that while he has analyzed these concepts in his other works, he will still demonstrate them here in the TP:

> In our *Theological-Political Treatise* we treated both Natural Right and Civil Right, and in our *Ethics* we explained what sin, merit, justice, injustice, and finally, human freedom are. But so that the readers of this treatise won't need to look elsewhere for the things which most concern it, I've resolved to

[19] Balibar, who suggests that the TP is more "scientific" than the TTP, in that it starts from first principles, goes on to qualify that account: "Perhaps it was Spinoza's intention to proceed in this manner, that is, deductively. However, when one tries to come to terms with the text of the TP, it rapidly becomes apparent that this is not quite how it worked in practice" (57).

explain them again here, and to demonstrate them rigorously [*apodictice demonstrare*] (2.1; III/276).

Likewise, Spinoza explains the central idea of a "civil order" [*status civilis*] in two ways.[20] First, at the very beginning of part 3, he describes the things that "pertain to civil orders in general" (3.1). For instance, he explains how the civil order is constituted when it assumes the right over individuals, such as that it requires the obedience of its subjects (3.10; III/288). Second, he describes in subsequent chapters the particular forms of the state constituted as the civil order, which he divides into the three classical constitutional forms of democracy, aristocracy, and monarchy (3.1; III/284). It appears as if we are reading a descriptive taxonomy of civil order and nothing more.

The Normative Account in the TP

In my reading of the TTP, the social contract is not a description but rather is a normative construct that accounts for the legitimacy of the state from a second-person point of view. Now in the TP, we might think that because Spinoza has assumed the existence of a civil order, in which the right of the state directs the right of all its citizens "as if by one mind," he has done away with the normative dimension of the discourse of the social contract altogether. Once we assume that men naturally form states, as the Schoolmen argued, then we can, as Spinoza apparently does, simply proceed to the next level of the naturalistic analysis of the civil state in its concrete forms. By eliminating almost all discussion of the social contract, he has also eliminated any reference to the "normative" as a separate (read transcendent) aspect of nature. He offers a purely naturalistic account of politics, one that does not have recourse to the problematic artifacts of normative discourse, like the supposed social contract. However, the concrete analysis of the three forms of civil order takes over the normative function of the TTP's social contract.

It certainly does appear on first reading that the accounts of each form of the civil order are descriptions rather than normative imperatives of any kind. In large part this is due to the level of detail that Spinoza provides. In the section on narrative in the TP, I will give another reason why

[20] On the "civil state" see also Barbone and Rice, "Introduction," 10. See also Moreau's analysis of *imperium* and how it relates to *status civilis* in Pierre-François Moreau, "La notion d'Imperium dans le *Traité Politique*," in *Proceeding of the First Italian International Congress on Spinoza*, ed. Emilia Giancotti Boscherini (Naples: Bibliopolis, 1985).

Spinoza offers this level of detail in his descriptions of constitutional forms, but here we can focus on the structure and purpose of that detail.

The key distinction that Spinoza makes in his analysis of the forms of civil order is that between the "right" a sovereign may have to order the state in a particular way and the "best way" to order the state. Spinoza makes an analogy to farming. Just as, "[i]t's one thing to cultivate a field by right and another to cultivate it in the best way," so "it is one thing to command, and to have responsibility for Public Affairs by right, and another to command and govern Public Affairs in the best way" (5.1; III/295). Anyone with a modicum of political experience will know that the sovereign – i.e. the individual or collective that has the right to rule – often does not establish the best regime possible. On the other hand, we cannot rely upon the good intentions of the citizens either. As Spinoza notes,

> If human nature were so constituted that men desired most what was most useful, there'd be no need of skill to produce harmony and loyalty. But it's evident that human nature is not at all like that. As a result, it's been necessary to set up a state, so that everyone – both those who rule and those who are ruled – does what's for the common well-being, whether they want to or not. That is, it's been necessary to set it up so that everyone is compelled to live according to the prescription of reason, whether of his own accord, or by force, or by necessity (6.3; III/297–98).

How do we decide whether the state is optimal or not? Spinoza says that the purpose of a state is to secure peace and the stability of the state. After discussing the general problem of the optimal state, Spinoza then goes on to consider "the best condition of each state" (5.1; III/295). The task is to explain how each particular form of the civil order can be optimally organized to secure the peace and stability of its citizens under the particular conditions in which they find themselves. This is the goal that has to be realized.

There is one important objection to this account that I want to consider, in part because it sheds light on the interplay of the different dimensions of the account. The principle that governs the ideal is, as Balibar and others, including myself, have noted,[21] the diffusion of power among the greatest number of citizens possible. And I think that, for Spinoza, this is a principle of nature derived from his metaphysics and view of human

[21] See Balibar, *Spinoza and Politics*, 71–75. Balibar grounds the apparent decisions of sovereigns in the constitutive support of the masses. See also my article, where I emphasize that it is the idea of civic participation that puts Spinoza squarely in the republican tradition: Michael A. Rosenthal, "Spinoza's Political Philosophy," in *Oxford Handbook of Spinoza*, ed. Michael Della Rocca (Oxford: Oxford University Press, 2017), 403–33.

nature. Nonetheless, as Spinoza makes clear throughout his discussion of each form of the state, the degree to which this principle is realized varies enormously. The function of the ideal constitutions is to present a picture of a state, which is not real but possibly real, that can guide our current deliberations about how to improve the state we are in. The fact that Spinoza's models – of course, other models may not – are informed by a rational principle will help ensure their success, but this does not mean that the models are themselves rational in a deep sense. They are, as I shall emphasize in the next sections, narrative projections of a present into a future, and as such, they are imaginative fictions.

The Narrative Account in the TP

Let's assume that you accept that the descriptions of the "ideal constitutions" function as normative models that can be used as a guide to improve existing civil orders. We have the third-person, descriptive account found in chapters 2 through 4. And we have the second-person, normative account, found abstractly in the idea of an optimal state, articulated in chapter 5, and then explicated more concretely relative to each form of the state in the "ideal constitutions" found in the subsequent chapters on monarchy, aristocracy, and the partly completed account of democracy. If we follow the tripartite structure of the TTP, we would now expect a first-person narrative account that completes the picture and motivates the reader to act.

However, this is precisely what appears to be missing in the TP. As commentators have noted, the primary narrative of the TTP, the Bible, is almost completely missing in the TP. Several reasonable explanations have been proffered. One view is that the political situation when Spinoza started work on the TP was very different from when he wrote the TTP. In effect, the TTP was, by his own admission in letter 30 to Oldenburg, Spinoza's attempt at an intervention in Dutch politics. Having failed to achieve his goal, the possibility of a direct impact faded and so he did not feel the need to motivate the reader to act. Another reason might have been that he was trying to address a different kind of reader, a more philosophically informed one. And another, which could be seen as complementary to both those given so far, would be that Spinoza's method had evolved. He was now prepared to write a scientific treatise on politics.[22]

[22] Balibar, as we have seen, thinks that the TP is a scientific treatise. Curley, in his introduction to his translation of the TP, suggests that Spinoza did not change his mind but "merely changed the way in which he expressed himself" (C II, 494).

There are certainly elements of truth in these views. Nonetheless, I think that in the TP Spinoza has not abandoned the commitment to the narrative dimension of the account of civil order that we found in the TTP. This is the role that the "ideal constitutions" play in the treatise. Each represents a possible future, in which the state has been organized in the optimal way to ensure peace and stability, according to the particular disposition of the people. Yet since these dispositions vary, there must be many possible ideal futures. The narrative dimension has simultaneously been compressed and multiplied. Compressed insofar as the story has been transformed into a set of complex models or exemplars, whose realization we have to imagine over time. Multiplied insofar as there is not one ideal narrative but several. The descriptions of the ideal constitutions are synchronic political stories, a compact way to present multiple possible narratives in the same conceptual space.

The key mechanism involved in constructing the narrative dimension of the political account is analogy. The reader constructs an analogy between the relevant features of his or her own situation and the features that have been made salient (by the reader or author or both) in the example or story presented in the text. If Spinoza was only interested in providing a foundational account of the models, then he could have stopped at the abstract account of the best or optimal state in chapter 5. Instead, he is very interested in the details and these are precisely what link the reader to a more specific motivation. Because Spinoza is not assuming that all the readers of the TP will share the same narrative context, which he did in the TTP, he needs to provide enough examples that it would be possible for different readers to find a starting analogous point. The reader who lives in a monarchy will find more relevant points in the account of an ideal monarchy than he would in the account of an ideal aristocracy, even if some points (even key ones) are similar. Moreover, the normative structure of the examples provides a readymade temporal form. There are a few stories of success or failure that Spinoza provides, but for the most part, the story will be the reader imagining the unfolding of the state's efforts to achieve the "ideal" in the future. Once the analogy has been found, the model considered, and the story of the realization of that model imagined, then the narrative dimension of the text motivates the reader to act on the descriptive and normative dimensions that have already been supplied. So, even in the apparently more abstract TP, we can discern a narrative aspect that is functionally equivalent to the single narrative that animates the TTP. The need for fiction persists.

Conclusion: Toward a Definition of Realism and Normativity in Spinoza's Politics

I've said that we can learn something important about the structure of the TP from the TTP.

Let me be more specific. The sociological account now makes explicit use of scientific rather than descriptive practices. The normative is found not in the social contract mechanism, which now looks clearly like the fiction it is, but in another kind of fiction, the positing of ideal constitutional types. The most salient difference with the TTP is in the lack of an obvious first-person narrative. However, even in the TTP there were at least two other kinds of historical example, not just the Bible but also the classical texts and contemporary history. The difference, then, is that in the TP Spinoza more systematically offers a variety of models, and which one will be adopted as the guiding narrative will depend upon circumstances. Still, in both the TTP and the TP, Spinoza does not rely upon scientific premises alone. He provides a significant element of fiction in almost all elements of both political theories.

Now that we have seen how the various accounts relate to and depend upon each other, I think that we are in a better position to understand how normativity might function in Spinoza's system and what a "realistic" political theory looks like.

Normativity has two elements: the projection of an imagined value that is used to convince another to choose some end. It is enough to define normativity abstractly in terms of the second-person account. But if we want to explain how normativity functions, that is, how the claim on another is translated to action, then we must also understand how it relates, through narrative, to the first-person point of view. Thus, it involves the second- and first-person points of view.

Realism ties the normative to the descriptive, on the one hand, and to the narrative performance of the normative, on the other. If we want to justify a particular normative claim, then we must refer to both the natural laws that support it and to the narrative that translates the claim into a form of individual action and self-understanding. A political argument is not realistic when it fails one or both of these tests.